

# REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

## Voting Members:

Ron Menor, Chair; Tommy Waters, Vice-Chair;  
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan

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Committee Meeting Held  
July 16, 2020

Honorable Ikaika Anderson  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning, Planning and Housing, to which was referred Resolution 20-170 entitled:

"RESOLUTION APPROVING AN EXTENSION TO OBTAIN BUILDING PERMITS FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT AT 1500 KAPIOLANI BOULEVARD, APPROVED BY RESOLUTION NO. 17-221, CD1,"

as transmitted by Departmental Communication No. 499 (2020) from the Department of Planning and Permitting ("DPP"), dated July 9, 2020, reports as follows:

The purpose of Resolution 20-170 is to approve a three-year extension to obtain building permits for an Interim Planned Development-Transit (IPD-T) project by Manaolana AREP III Holdings, LLC ("Applicant"), to redevelop 78,973 square feet of land with a mixed use, condo-hotel, residential, and commercial project in the Ala Moana neighborhood on land zoned BMX-3 Community Business Mixed Use District, located at 1460, 1470, 1488, and 1500 Kapiolani Boulevard, and formerly identified as Tax Map Keys 2-3-021: 007 through 010, and now identified as Parcels 043 and 044.

Your Committee finds that the purpose of the IPD-T (ROH Section 21-9.100.5) is to "provide opportunities for creative, catalytic redevelopment projects within the rail corridor that would not be possible under a strict adherence to the development standards of [the LUO] prior to the adoption of the TOD neighborhood plans or amendments to [the LUO] relating to the future TOD zones (special districts), or both.

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON AUG 19 2020

COMMITTEE REPORT NO. 183

# **REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING**

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Qualifying projects must demonstrably exhibit those kinds of attributes that are capable of promoting highly effective transit-enhanced neighborhoods, including diverse employment opportunities, an appropriate mix of housing types, support for multi-modal circulation, and well-designed publicly accessible and useable spaces. Flexibility may be provided for project uses, density, height and height setbacks, yards, open space, landscaping, streetscape improvements, parking and loading, and signage when timely, demonstrable contributions are incorporated into the project benefiting the community, supporting transit ridership, and implementing the vision established in Section 21-9.100-4." The Council reviews and approves a conceptual plan for an IPD-T project before that project receives a more detailed review and approval from the DPP Director (see also ROH Section 21- 2.110-2).

At your Committee's meeting on July 16, 2020, the Acting Director of DPP testified in support of the Resolution. A representative from R.M. Towill testified in support of the Resolution.

Your Committee received written testimony in support of the Resolution from one individual.

Your Committee carefully reviewed the conditions recommended by the DPP for inclusion in the Resolution, as well as the additional changes requested by the Applicant and prepared a CD1 version of the Resolution which makes the following amendments:

Your Committee has prepared a new CD1 version (OCS2020-0762/8/6/2020 4:05 PM) of the Resolution that makes the following amendments:

- A. Amends the title to provide that the resolution amends Resolution 17-221, CD1.
- B. Amends the first WHEREAS clause to clarify the description of the Project.

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## **CITY COUNCIL**

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HONOLULU, HAWAII

ADOPTED ON **AUG 19 2020**

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- C. Adds a new third WHEREAS clause to provide that Resolution 17-221, CD1, required that a building permit for the Project be issued within two years after the date a major special district permit is issued for the Project, resulting in a December 26, 2019, deadline.
- D. In the fourth WHEREAS clause, clarifies that prior to the December 26, 2019, deadline to obtain a building permit for the Project, the DPP approved a one-year extension of the deadline (as allowed under Resolution 17-221, CD1), resulting in a December 26, 2020, deadline.
- E. In the fifth WHEREAS clause, clarifies that the DPP, having considered the information provided by the Applicant regarding the requested extension of time, completed its report and transmitted its findings and recommendation of approval to the Council by D-499 (2020).
- F. In Condition A, provides that except as modified by the conditions set forth in the resolution, the Project must:
  - 1. Conform to the conceptual plan for the Project approved under Resolution 17-221, CD1;
  - 2. Comply with the conditions of approval set forth in Resolution 17-221, CD1; and
  - 3. Comply with the conditions of approval set forth in the Project's special district permit.

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In addition, clarifies that changes to the Project that do not significantly alter the size or nature of the Project and remain in conformance with the conceptual plan and all conditions of approval will be processed in accordance with Condition U of Resolution 17-221, CD1; and any significant modification to the size or nature of the Project will require a new IPD-T permit application and special district permit. A change of use of the condominium-hotel units to multi-family dwelling units will be considered a significant modification and a change to the conceptual plan.

- G. In Condition B, provides that the updated plans that must be submitted to the DPP for review and approval within one year after adoption of the resolution must demonstrate compliance with LUO requirements; Resolution 17-221, CD1, conditions; and transit-oriented development regulations.
- H. In Condition C, provides that the affordable housing agreement that must be submitted to the DPP for review and approval within two years after adoption of the resolution must demonstrate compliance with the affordable housing requirements of Condition F of Resolution 17-221, CD1.
- I. Deletes Condition D.  
  
This condition is a significant new condition that was not part of the original resolution and should not be added to this request for an extension of time for receipt of a building permit.
- J. Deletes Condition E.

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## CITY COUNCIL

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HONOLULU, HAWAII

ADOPTED ON **AUG 19 2020**

COMMITTEE REPORT NO. **183**

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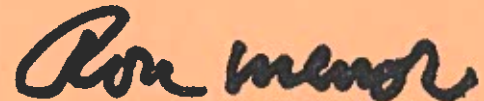
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This condition is a significant new condition that was not part of the original resolution and should not be added to this request for an extension of time for receipt of a building permit.

- K. Amends realphabetized Condition D to allow the DPP Director to amend the conditions in the Project's special district permit to implement the conditions in the resolution.
- L. Adds a BE IT FURTHER RESOLVED clause to provide that all other provisions of Resolution 17-221, CD1, are ratified and confirmed, and remain in full force and effect.
- M. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee on Zoning, Planning and Housing is in accord with the intent and purpose of Resolution 20-170, as amended herein, and recommends its adoption in the form attached hereto as Resolution 20-170, CD1. (Ayes: Elefante, Kobayashi, Menor, Waters – 4; Ayes with reservations: None; Noes: None; Excused: Manahan - 1.)

Respectfully submitted,



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Committee Chair

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON **AUG 19 2020**

COMMITTEE REPORT NO. **183**



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-170, CD1

## RESOLUTION

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AMENDING RESOLUTION 17-221, CD1, TO EXTEND THE DEADLINE TO OBTAIN A BUILDING PERMIT FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT AT 1500 KAPIOLANI BOULEVARD.

WHEREAS, on September 16, 2017, the City Council, by adoption of Resolution 17-221, CD1, approved a conceptual plan for an interim planned development-transit ("IPD-T") project proposed by Manaolana AREP III Holdings, LLC (the "Applicant"), to redevelop 78,973 square feet of land zoned BMX-3 Community Business Mixed Use District in the Ala Moana Neighborhood Transit-Oriented Development ("TOD") Plan area, located at 1460, 1470, 1488, and 1500 Kapiolani Boulevard, formerly identified as Tax Map Key Nos. 2-3-021: 007 through 010, and now identified as Tax Map Key Nos. 2-3-021: 043 and 044, with a mixed use, condo-hotel, residential, and commercial project (the "Project"); and

WHEREAS, on December 26, 2017, the Department of Planning and Permitting ("DPP") reviewed and approved detailed plans for the Project by issuing a major special district permit pursuant Section 21-110-2(h) of the Revised Ordinances of Honolulu 1990 ("ROH"); and

WHEREAS, Resolution 17-221, CD1, required that a building permit for the Project be issued within two years after the date a major special district permit is issued for the Project, resulting in a December 26, 2019, deadline; and

WHEREAS, prior to the December 26, 2019 deadline to obtain a building permit for the Project, the DPP approved a one-year extension of the deadline (as allowed under Resolution 17-221, CD1), resulting in a December 26, 2020, deadline; and

WHEREAS the Applicant requests a three-year extension of the December 26, 2020 deadline to obtain a building permit for the Project, due to the COVID-19 pandemic's severe impacts on the community, economy, financial industry, and tourism industry, which have resulted in delays in obtaining Project funding and required permits; and

WHEREAS, the DPP, having considered the information provided by the Applicant regarding the requested extension of time, completed its report and transmitted its findings and recommendation of approval to the Council by Departmental Communication 499 (2020), which is incorporated herein by this reference; and



## RESOLUTION

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WHEREAS, the City Council, having received the findings and recommendation of the DPP on July 9, 2020, and having duly considered the matter, desires to approve the requested three year extension of time to obtain a building permit for the Project, subject to the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that Resolution 17-221, CD1, is amended to extend the deadline to obtain a building permit for the Project to December 26, 2023, subject to the following conditions:

- A. Except as modified by these conditions of approval, the Project must:
1. Conform to the conceptual plan for the Project approved under Resolution 17-221, CD1;
  2. Comply with the conditions of approval set forth in Resolution 17-221, CD1; and
  3. Comply with the conditions of approval set forth in the Project's special district permit.

Changes to the Project that do not significantly alter the size or nature of the Project and remain in conformance with the conceptual plan and all conditions of approval will be processed in accordance with Condition U of Resolution 17-221, CD1. Any significant modification to the size or nature of the Project will require a new IPD-T permit application and special district permit. A change of use of the condominium-hotel units to multi-family dwelling units will be considered a significant modification and a change to the conceptual plan.

- B. Within one year after the date of adoption of this resolution, the Applicant shall submit to the DPP for review and approval updated plans required under Condition 2 of the Project's special district permit, which demonstrate compliance with LUO requirements; Resolution 17-221, CD1, conditions; and transit-oriented development regulations.
- C. Within two years after the date of adoption of this resolution, the Applicant shall submit to the DPP for review and approval a draft affordable housing agreement required under Condition 5 of the Project's special district permit, which demonstrates compliance with the affordable housing requirements of Condition F of Resolution 17-221, CD1.



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-170, CD1

## RESOLUTION

- D. The DPP Director may amend the conditions in the Project's special district permit to implement the conditions in this resolution; and

BE IT FURTHER RESOLVED that all other provisions of Resolution 17-221, CD1, are ratified and confirmed, and remain in full force and effect; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Kathy K. Sokugawa, Acting Director of Planning and Permitting, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii 96813; Manaolana AREP III Holdings LLC, 11111 Santa Monica Boulevard, Suite 2250, Los Angeles, California, 90025-7201; and Keith Kurahashi, R.M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 98619-3494.

INTRODUCED BY:

Ikaika Anderson (br)

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DATE OF INTRODUCTION:

July 10, 2020

Honolulu, Hawaii

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Councilmembers